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FILED

JANUARY 12, 2006

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

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| IN THE MATTER OF THE SUSPENSION | : | |
| OR REVOCATION OF THE LICENSE OF | : | Administrative Action |
| | : | |
| GEORGE STEPHEN LAKNER | : | FINAL ORDER |
| License No. MA 41726 | : | OF DISCIPLINE |
| | : | |
| TO PRACTICE MEDICINE AND SURGERY | : | |
| IN THE STATE OF NEW JERSEY | : | |
| | : | |

This matter was opened to the New Jersey State Board of Medical Examiners (Board) upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, George S. Lakner, M.D., License No. MA 41726 is a physician licensed in the State of New Jersey. Respondent's license is currently active.

2. On or about December 19, 2001, an Order was entered by the Board of Medical Examiners of the State of Nevada revoking Respondent's license to practice.

3. The complaint alleged that on March 28, 2001, Respondent signed his application for registration renewal as a physician in the State of Nevada and answered "No" to question number 7, which

CERTIFIED TRUE COPY

inquired whether he had "ever been denied a license, permission to practice medicine or any other healing art, or permission to take an examination to practice medicine or an other healing art in any state, country or U.S. territory". It was further alleged that on July 19, 2000, the Medical Board of California informed Respondent that his application for medical licensure in the State of California was denied based upon grounds that Respondent committed an act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another or substantially injure another; or committed any act which if done by a licentiate of the business or profession in question, would be grounds for disciplinary action.

4. The Nevada Board found that by answering "No" to question number 7 on his renewal application, Respondent engaged in the act of renewing a license to practice medicine by misrepresentation, or by false, misleading, or inaccurate statement, which conduct violates Nevada statutory provisions.

5. It was also found that by answering "No" to question number 7 on his renewal application, Respondent engaged in the act of conduct intended to deceive.

CONCLUSIONS OF LAW

1. The above Nevada action provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(g) in that Respondent has had his license revoked in another state.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice medicine and surgery in the State of New Jersey was entered on November 15, 2002, and a copy served on Respondent. The Provisional Order of Discipline was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons thereof.

Respondent responded by faxed letter dated November 26, 2002 requesting modification of the Provisional Order of Discipline. Respondent states that the New Jersey Board office has been "misused [and] manipulated by licensing staff from the West Coast". Respondent also asserts that his Nevada license was revoked on December 19, 2001, however, he claims that the Executive Director of the Nevada Psychiatric Association has ordered an investigation of the process, and that attorneys for the California Medical and Psychiatric Associations, have appealed the decision. Respondent provides no documentation of an investigation in Nevada or an appeal of the decision by said organizations. Respondent further claims that under guidance from an Administrative Law Judge, the

California Board offered to issue him a license on February 1, 2002. Respondent does not provide any documentation to support this claim, and an on-line search of California licensees shows that Respondent does not hold a California license. Respondent also claims that he checked "No" to question number 7 on the Nevada renewal form after being instructed to do so by the Nevada Board's Deputy Administrator, Joseph Franz. However, Respondent provides no documentation or proof that Mr. Franz directed him to do so.

Respondent then disputes the underlying facts for his denial of licensure in California. Respondent claims he was denied licensure in California due to a Medical Board staffer's "shameful discrimination against Eastern European countries" which led her to question the authenticity of Respondent's credentials from Hungary. Respondent alleges that two of the staffers in California involved in denying his license "have since been removed for 'abuse of office', and the board has voted to issue a license". Again, no documentation to support these claims were supplied. Finally, Respondent claims that both Kansas and Virginia suspended his license based on the California denial, but later retracted the suspensions and reinstated his licenses in those states. Once again, no documentation to support these claims are provided.

The Board considered Respondent's submission and determined to finalize the matter. Therefore, a Final Order of Discipline was entered on May 22, 2003, suspending Respondent's license in the State of New Jersey until such time that he could show that all of his sister state licenses have been reinstated, without

restriction. However, on June 2, 2003, the Board Office received a letter from Mark Christensen, an Army legal assistance lawyer writing on behalf of Respondent. Mr. Christensen explained that Respondent was then a physician serving with the U.S. Army in Vicenza, Italy and stated that during Respondent's absence, the California Licensing Program had initiated a rehearing on Respondent's application. Mr. Christensen therefore, requested that the New Jersey Board hold or stay any action that would jeopardize Respondent's New Jersey license until such time as he is able to return to the country and address the dispute on his current application. Thereafter, on October 8, 2003 the Board voted to stay the Final Order of Discipline until Respondent had an opportunity to more fully respond to the POD.

On August 9, 2005 the Board filed an Order Staying the Final Order of Discipline Nunc Pro Tunc to May 22, 2003. Subsequently, by way of correspondence dated September 9, 2005, Respondent's counsel, Alex Keoskey, Esq., responded anew to the Provisional Order of Discipline. In connection with the licensing action pending in California, Respondent's counsel asserts that Respondent was the victim of "baseless accusations stemming from an unfortunate amalgam of personal vendettas, discrimination, incompetence and bad faith" by the California Board. In addition, by way of mitigation, Respondent's counsel states that Respondent was raised in a series of Hungarian orphanages and then went onto graduate from both law school and medical school. Furthermore, he also provides that Respondent is a Colonel in the United States

Army and has worked at Harvard, Yale, Columbia, Johns Hopkins Medical Schools, the National Institute of Health, the Walter Reed Army Medical Center, the National Naval Medical Center and the Department of Defense and has received a number of commendations.

The Board considered the matter anew on October 19, 2005, and has concluded that Respondent counsel's statements and extensive documentation in mitigation do not alter the findings of facts or conclusions of law set forth in the Provisional Order of Discipline originally issued by the Board on November 15, 2002. Furthermore, no documented evidence has been submitted by Respondent and/or his counsel to support the claim that the California and/or Nevada Board has treated Respondent unfairly. To date, Respondent's license remains revoked in Nevada due to the facts stated in the Provisional Order of Discipline and Respondent has not yet been granted a license to practice medicine by the State of California. The Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration.

ACCORDINGLY, IT IS on this 12TH day of JANUARY, 2006, ORDERED that:

1. Respondent's license to practice medicine and surgery in the State of New Jersey is hereby suspended until such time that he can show that his sister state license in Nevada has been

reinstated without restrictions and he is granted a license to practice medicine in California.

2. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board (or a Committee thereof) to demonstrate fitness to resume practice, and any practice in this State prior to said appearance shall constitute grounds for the a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: Samy M. Paul, M.D.

Board President